

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

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HOWMEDICA OSTEONICS CORP.,

Plaintiff,

v.

WRIGHT MEDICAL TECHNOLOGY,
INC.

Defendant.

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AT 8:30 _____ M
WILLIAM T. WALSH
CLERK

Civil Action No.
00-cv-1167 (GEB)

**ORDER GRANTING
STIPULATION OF
DISMISSAL WITH
PREJUDICE**

THIS MATTER having been opened to the Court on joint motion by Lerner David Littenberg Krumholz & Mentlik, LLP, attorneys for Plaintiff Howmedica Osteonics Corp., and Tompkins, McGuire, Wachenfeld & Barry LLP, attorneys for Defendant Wright Medical Technology, Inc., for an Order granting the parties' joint motion for entry of stipulation of dismissal with prejudice, and the Court having considered the papers submitted by the parties and oral argument, if requested by the Court, and for good and sufficient cause shown:

IT IS on this 28th day of May, 2010,

ORDERED that the parties' Joint Motion for Entry of Stipulation of Dismissal is hereby GRANTED in its entirety; and it is further

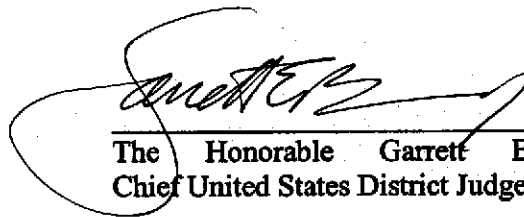
ORDERED that Plaintiff Howmedica Osteonics Corp.'s claims and Complaint against Defendant Wright Medical Technology, Inc. be, and they hereby are, DISMISSED WITH PREJUDICE; and it is further

ORDERED that Defendant Wright Medical Technology, Inc.'s counterclaims against Plaintiff Howmedica Osteonics Corp. be, and they hereby are, DISMISSED WITH PREJUDICE, except Wright Medical Technology Inc. shall have the right in any future action to assert any and all defenses and counterclaims to the '100 Patent, including non-infringement, invalidity and/or unenforceability (specifically including inequitable conduct); and it is further

ORDERED that in view of the parties' settlement, the Court's November 24, 2009 Order [Civil Docket No. 147], is hereby VACATED; and it is further

ORDERED that a copy of this Order shall be served upon counsel for the parties within five (5) days of receipt thereof.

SO ORDERED.

A handwritten signature in black ink, appearing to read "Garrett E. Brown, Jr.", is written over a horizontal line. The signature is stylized with a large, looping initial "G".

The Honorable Garrett E. Brown, Jr.
Chief United States District Judge